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5 Attorneys for Plaintiffs PATRICK CONNALLY
6 and DISABILITY RIGHTS ENFORCEMENT,
EDUCATION SERVICES

7 UNITED STATES DISTRICT COURT
8
9 NORTHERN DISTRICT OF CALIFORNIA

10 PATRICK CONNALLY, an individual; and
11 DISABILITY RIGHTS ENFORCEMENT,
12 EDUCATION SERVICES: HELPING
YOU HELP OTHERS, a California public
benefit corporation,

13 Plaintiffs,

14 v.

15 CAFE FRANCISCO: HAROLD PARKER
16 PROPERTIES LP, a California limited
partnership; JULIE D. RAY and ZIAD
17 ABUDIAH, individuals dba CAFE
FRANCISCO
18 Defendants,

CASE NO. CV-08-04857-WDB

STIPULATION OF DISMISSAL AND
[PROPOSED] ORDER THEREON

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20 The parties, by and through their respective counsel, stipulate to dismissal of this action in its
21 entirety with prejudice pursuant to Fed.R.Civ.P.41(a)(1). Outside of the terms of the Settlement
22 Agreement and General Release ("Agreement") herein, each party is to bear its own costs and
23 attorneys' fees. The parties further consent to and request that the Court retain jurisdiction over
24 enforcement of the Agreement. See Kokonoe v. Guardian Life Ins. Co., 511 U.S. 375 (1994)
25 (empowering the district courts to retain jurisdiction over enforcement of settlement agreements).

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28 STIPULATION OF DISMISSAL AND [PROPOSED] ORDER THEREON

1 Therefore, IT IS HEREBY STIPULATED by and between parties to this action through
2 their designated counsel that the above-captioned action be and hereby is dismissed with prejudice
3 pursuant to Federal Rules of Civil Procedure section 41(a)(1).

4 This stipulation may be executed in counterparts, all of which together shall constitute one
5 original document.

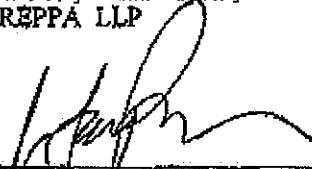
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7 Dated: November 30, 2009

THOMAS E. FRANKOVICH,
A PROFESSIONAL LAW CORPORATION

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10 By: /s/
11 Thomas E. Frankovich
12 Attorneys for Plaintiffs PATRICK CONNALLY and
13 DISABILITY RIGHTS ENFORCEMENT,
14 EDUCATION SERVICES

15
16 Dated: November 30, 2009

BLEDSON, CATHCART, DIESTEL, PEDERSEN
& TREPPA LLP

17
18
19 By: 
20 L. Jay Pedersen
21 Attorneys for Defendant JULIE D. RAY and
22 ZIAD ABUDIAS

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STIPULATION OF DISMISSAL AND [PROPOSED] ORDER THEREON

1 Dated: November 30, 2009

Haight Brown & Bonesteel LLP

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4 By: Nairi Chakalian
Nairi Chakalian
Attorneys for Defendant HAROLD PARKER
PROPERTIES LP

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8 **ORDER**

9 IT IS HEREBY ORDERED that this matter is dismissed with prejudice pursuant to
10 Fed.R.Civ.P.41(a)(1). IT IS FURTHER ORDERED that the Court shall retain jurisdiction for the
11 purpose of enforcing the parties' Settlement Agreement and General Release should such
12 enforcement be necessary.

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14 DATED: 12/1/, 2009

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16 
Honorable Wayne D. Brazil
United States District Judge

Timothy J. Sommer
Magistrate Judge

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STIPULATION OF DISMISSAL AND (PROPOSED) ORDER THEREON